



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning and Development**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3004193  
**Applicant Name:** Brittani Ard  
**Address of Proposal:** 10038 Ashworth Avenue N

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into three parcels of land. Proposed parcel sizes are: Parcel A) 6,367 sq. ft., Parcel B) 6,449 sq. ft. and Parcel C) 6,367 sq. ft. Existing single family residences and a detached garage would be removed.

The following approval is required:

**Short Subdivision** - to divide one parcel into three parcels of land.  
(Seattle Municipal Code Chapter 23.24)

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading or demolition  
or involving another agency with jurisdiction.

**BACKGROUND DATA**

**Site and Vicinity**

The 19,183 sq. ft. site is located on the east side of Ashworth Avenue N approximately 204 feet from the intersection of N 103<sup>rd</sup> Street and Ashworth Avenue N. It is zoned Single Family residential with 7,200 square feet minimum lot size. The site has approximately 102 lineal feet of frontage on Ashworth Avenue N. The site is currently developed with a single family residence and a detached garage. The topography of the site is relatively flat from the front but slopes gently towards the rear property line. There is no alley. Access to all the site is available from Ashworth Avenue N. which is paved but not developed to current standards; no concrete curbs, gutters and sidewalks are present. There are several large evergreen and deciduous trees on the site mostly on northern and southern portions of the lot. North Seattle Community College is located two blocks east of the site. Development in the vicinity is predominantly single family residential.

### Proposal

The proposal is to subdivide one existing 19,183 sq. ft. lot into three parcels of land. Proposed Parcel A would be 6,367 sq. ft., proposed Parcel B would be 6,449 sq. ft. and proposed Parcel C would be 6,367 sq. ft. The single family residence and the detached garage would be removed from the site. The vehicle and pedestrian access to the three proposed parcels will be from Ashworth Avenue N.

No development or construction activities are associated with the current proposal; the subject of this analysis and decision is limited to the proposed division of land.

### Public Comments

Notice of the proposed short plat was published on April 20, 2006. The public comment period ended on May 3<sup>rd</sup>, 2006. One comment letter was received. The respondent expressed concerns about the size of the lots being subdivided, congestion impacts and lack adequate street access in the area.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, The Director shall, after conferring with appropriate officials, use the following applicable criteria to determine whether to grant, condition, or deny a short plat.

#### *1. Conformance to the applicable Land Use Policies and Land Use Code provisions.*

The site is located within the Single Family 7200 (SF-7200) zone.

The proposal will divide one existing lot into three parcels of land as follows:

- Parcel A: 6,367 square feet
- Parcel B: 6,449 square feet, and
- Parcel C: 6,367 square feet

The resulting lot areas would meet the requirement for the code-allowed exceptions to lot size. The lot sizes of Parcels A, B and C satisfy the “75/80 rule”, established in SMC 23.44.010 and therefore, may have less than required lot area. Each lot will have adequate buildable lot area to meet applicable yards and lot coverage requirements and other Land Use Code development standards.

#### *2. Adequacy of access for vehicles, utilities, and fire protection, is provided in Section 23.53.005.*

DPD has circulated this proposed short subdivision to all city agencies with jurisdiction for review of utilities, access, and fire protection. All utilities would be extended to Parcel A, B and C and any changes in services would require approval of the respective utility. Proposed Parcels A, B and C have street frontage on Ashworth Avenue N and each would have adequate vehicular and utility access to the street. The Seattle Fire Department would provide emergency vehicle access to the site; the Fire Department has approved the proposed short plat for emergency vehicle access. No street improvements are required. Seattle City Light does not require any additional easements to provide electricity.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal.*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle, and availability of service is assured subject to standard conditions of utility extension. The existing houses currently discharge their sanitary waste to the public sanitary sewer (PSS) located on Ashworth Avenue N. The proposed parcels would be connected by means of side sewer for sanitary discharge. There are no records of current method of stormwater discharge locations available in the immediate vicinity of the site. Given the lack of available stormwater discharge locations and the possible addition of approximately 7,500 square feet of new impervious surface, a Drainage Control Plan, stamped by a civil engineer, for all new construction proposed for all parcels shall be required. If infiltration is proposed, soils analysis and infiltration rates will be required. Plan review requirements would be made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time.

The short plat application was reviewed by Seattle Public Utilities, and Water Availability Certificate #200-606-19 was approved and issued on April 7, 2006.

4. *Whether the public use and interests are served by permitting the proposed division of land.*

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivisions and Subdivisions, in Environmentally Critical Areas.*

According to information provided by the pre-application site visit field assessment, the site was identified as containing Environmentally Critical 40% Steep Slope area on the south side property line. However, the topographic survey information provided by Chadwick & Winters Land Surveying, Inc. indicated that the referenced survey demonstrates that the site contains no ECA Steep slope Critical Areas. Therefore, no environmentally critical areas exist or are otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees:*

There are approximately twelve (12) trees (Bing Cherry, Western Hemlock, White Birch, Blue Pine, Apple, Cherry, Holly and Spruce) located upon the development site. Most of these trees are located on proposed Parcel A and C. The potential building footprint on proposed Parcel A and C may necessitate the removal of some of the trees. But majority of the trees located closer to the front, sides and rear yards setbacks can be preserved by the proposed design of the plat.

The existing 24" Western Hemlock tree located proposed Parcel A may qualify as an exceptional tree per Director's Rule 6-2001 and SMC 25.05.675N and should be preserved. A condition is imposed which requires retention of several (6) of the trees on Parcels A and C until the lots are sold or construction inspections are finalized.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivision, when the subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, cluster housing, or single family housing:*

This short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat application.

8. *Conformance to the provisions of Section 23.24.046, multiple single family dwelling units on a single family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single family dwelling unit:*

This short subdivision is not a multiple single family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

### **DECISION - SHORT SUBDIVISION**

The proposed short plat is **CONDITIONALLY APPROVED.**

### **CONDITIONS - SHORT SUBDIVISION**

#### **Conditions of Approval Prior to Recording**

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. Show the side yard setback for the existing house from the new lot line. The property corners set shall be identified on the plat and encroachments such as fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. The boundaries shall be adjusted if necessary to meet the requirements of the Land Use Code.
2. Add the "Conditions of Approval Upon Application for Construction Permits," noted below, to the plat. These may be added to the face of the plat, or may be attached as a separate page. If the conditions are on a separate page, insert on the face of the plat "For Conditions of Approval Upon Application for Construction Permits see page \_\_\_\_ of \_\_\_\_."

3. Submit the final recording forms and fee for approval.
4. The hemlock (2), birch (1), pine (1), and spruce (2) trees on Parcels A and C shall be retained at least until final inspection of a building permit is approved. This shall be noted on the final recording documents. Any subsequent tree removal or replacement is subject to the requirements of SMC 23.44.008, 25.11 and Director's Rule 6-2001. This shall be noted on the final recording documents.

After Recording and Prior to Issuance of a Building Permit

5. Attach copy of the recorded short plat with the plans upon application for a construction permit.
6. Provide a report or plan from a qualified arborist to protect six trees noted in condition #4. The plan shall include on-site monitoring by the Arborist during critical construction activities, if necessary.

Signature: (signature on file)  
Christopher A. Ndifon, Land Use Planner  
Department of Planning and Development

Date: June 12, 2006